

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTWONE STOKES,

Plaintiff,

v.

CHEEK, *et al.*,

Defendants.

Case No. 1:24-cv-00691-BAM (PC)

ORDER CONSTRUING PLAINTIFF'S
NOTICE OF CHANGE OF ADDRESS AS
MOTION FOR FILING FEE AND CASE
STATUS UPDATE
(ECF No. 15)

ORDER GRANTING PLAINTIFF'S MOTION
FOR FILING FEE AND CASE STATUS
UPDATE
(ECF No. 15)

Plaintiff Antwone Stokes ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on June 10, 2024 in the Sacramento Division of the Untied States District Court for the Eastern District of California, Case No. 2:24-cv-01659-AC. (ECF No. 1.) The case was transferred to the Fresno Division on June 13, 2024. (ECF No. 4.)

Currently before the Court is Plaintiff's notice of change of address, filed August 2, 2024. (ECF No. 15.) In the filing, Plaintiff states that he was charged \$3.00 on June 13, 2024 for Case No. 2:24-cv-01659-AC, and then charged \$50.00 on July 23, 2024 for Case No. 1:24-cv-00691-BAM. Plaintiff would like to know why he was charged for two different case numbers and which case is active. Also, Plaintiff's remaining balance is \$300.00, and it should be \$297.00 due to the \$3.00. Plaintiff would also like to know the status of his case. (*Id.*) The Court construes

1 the filing as a motion for a filing fee and case status update.

2 Plaintiff's motion is granted. Plaintiff is informed that only Case No. 1:24-cv-00691-
3 BAM is active, and he will only be charged the \$350.00 filing fee for this case number. Case No.
4 2:24-cv-01659-AC was closed when Plaintiff's case was transferred to the Fresno Division, and
5 Plaintiff will not be charged a filing fee for that case, which is why the \$3.00 was not withdrawn
6 from Plaintiff's account.

7 Attached to this order is a receipt from the Court's Financial Department, titled "Case
8 Inquiry Report." The first page reflects the total amount owed, total collected, and total
9 outstanding for the filing fee in this action, Case No. 1:24-cv-00691. This report shows that
10 \$50.00 has been collected towards the filing fee for this action, leaving a remaining outstanding
11 balance of \$300.00. No other payments have been received as of the date of this order.

12 At this time, Plaintiff's complaint is pending before the Court. The complaint will be
13 screened in due course.

14 Accordingly, IT IS HEREBY ORDERED as follows:

15 1. Plaintiff's notice of change of address, (ECF No. 15), is CONSTRUED as a motion for
16 filing fee and case status update;

17 2. Plaintiff's motion for filing fee and case status update, (ECF No. 15), is GRANTED as
18 discussed above; and

19 3. The Clerk of the Court shall serve Plaintiff a copy of the Case Inquiry Report dated
20 August 13, 2024 with this order.

21 IT IS SO ORDERED.

23 Dated: August 14, 2024

24 /s/ Barbara A. McAuliffe
25 UNITED STATES MAGISTRATE JUDGE

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